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February 15, 2024

VIA CM/ECF

The Honorable Claire C. Cecchi, USDJ
United States District Court for the District of New Jersey
Martin Luther King Building & U.S. Courthouse
Court Room MLK 5B
50 Walnut Street
Newark, New Jersey 07101

Re: LORENZO v. THE BOROUGH OF PALISADES PARK, NEW JERSEY et al.
Civil Action No.: 2:23-cv-21849-CCC-JRA

Dear Judge Cecchi:

This office represents plaintiff, David Lorenzo, in the above matter.

Mr. Lorenzo brought this action on November 3, 2023 alleging that defendants violated his civil rights when they suspended him from his position as Borough Administrator for the Borough of Palisades Park in retaliation for his constitutionally protected political speech and political association.

Defendants filed a motion to dismiss which is currently returnable on March 4, 2024. (ECF # 7.)

Two days ago, defendants took further retaliatory action against Mr. Lorenzo when they fired him.

Based on this recent development, we intend to seek to amend the complaint—either by consent or by leave of the court—to add claims of against defendants and other members of the Borough Council based their escalation of damages suffered by Mr. Lorenzo from his job loss along and for additional claims of retaliation for the legal action Mr. Lorenzo has taken against the Borough (both here and in related state court matters), and for racial discrimination by the defendants (and defendants to be named) through their efforts to ethically cleanse the Borough government.

Since this all this will impact the pending motion to dismiss, we reached out to defendants' counsel yesterday and sought their consent for the Court to administratively terminate that motion, allow us time to file an amended complaint on consent or file a motion for leave to amend, and then provide defendants the opportunity to re-file their motion to dismiss.

Counsel indicated that he would confer with his client and advise, but at this time, counsel has not advised whether defendants consent or not. In the meantime, Mr. Lorenzo's opposition to the current motion to dismiss is due by February 20, 2024.

Given that short time frame, we respectfully request that Mr. Lorenzo be afforded 30 days to file an amended complaint with the consent of defendants or file a motion for leave to amend the complaint if that consent cannot be obtained and that defendants' motion be administratively terminated without prejudice to defendants' right to renew that application with respect to the amended complaint.

We appreciate the Court's consideration of this request.

Respectfully,

s/ Leonard E. Seaman
LEONARD E. SEAMAN

LES/me

cc: R. Scott Fahrney , Jr., Esq. (via CM/ECF)
client (via e-mail)